

## Chapter 7A

### USE DISTRICTS

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#### **7A.1 General Provisions**

##### **7A.1.1 Zoning Districts**

The City of Woodstock, as depicted on the Official Zoning Map accompanying this Ordinance and which map is incorporated herein by reference, is hereby divided into the following zoning districts, which shall be abbreviated on the Official Zoning Map and which shall have the minimum lot or parcel size as indicated on Table 7A.1, and which shall be governed by the provisions and requirements of this Ordinance:

<b>Table 7A.1: Zoning Categories</b>		
<b>District Name</b>	<b>Abbreviation</b>	<b>Minimum Lot Size</b>
▪ Agriculture District	AG	5 acres
▪ Estate District	E	1 acre
▪ Single Family Detached Residential District	R	7,200
▪ Single Family Detached Residential District	R1B	8,500 s.f.
▪ Single Family Detached Residential District	R1C	10,000 s.f.
▪ Single Family Detached Residential District	R1D	20,000 s.f.
▪ Single Family Attached Residential District	R3	(see Table 7A.2)
▪ Multiple Family Residential District	R4	(see Table 7A.2)
▪ Neighborhood Business District	B1	5,000 s.f.
▪ General Business District	B2	10,000 s.f.
▪ Central Business District	B2C	2,000 s.f.
▪ Service & Retail District	B3	5,000 s.f.
▪ Office District	B4	10,000 s.f.
▪ Shopping Center District	B5	20,000 s.f.
▪ Light Manufacturing District	M1	20,000 s.f.
▪ Heavy Manufacturing District	M2	40,000 s.f.

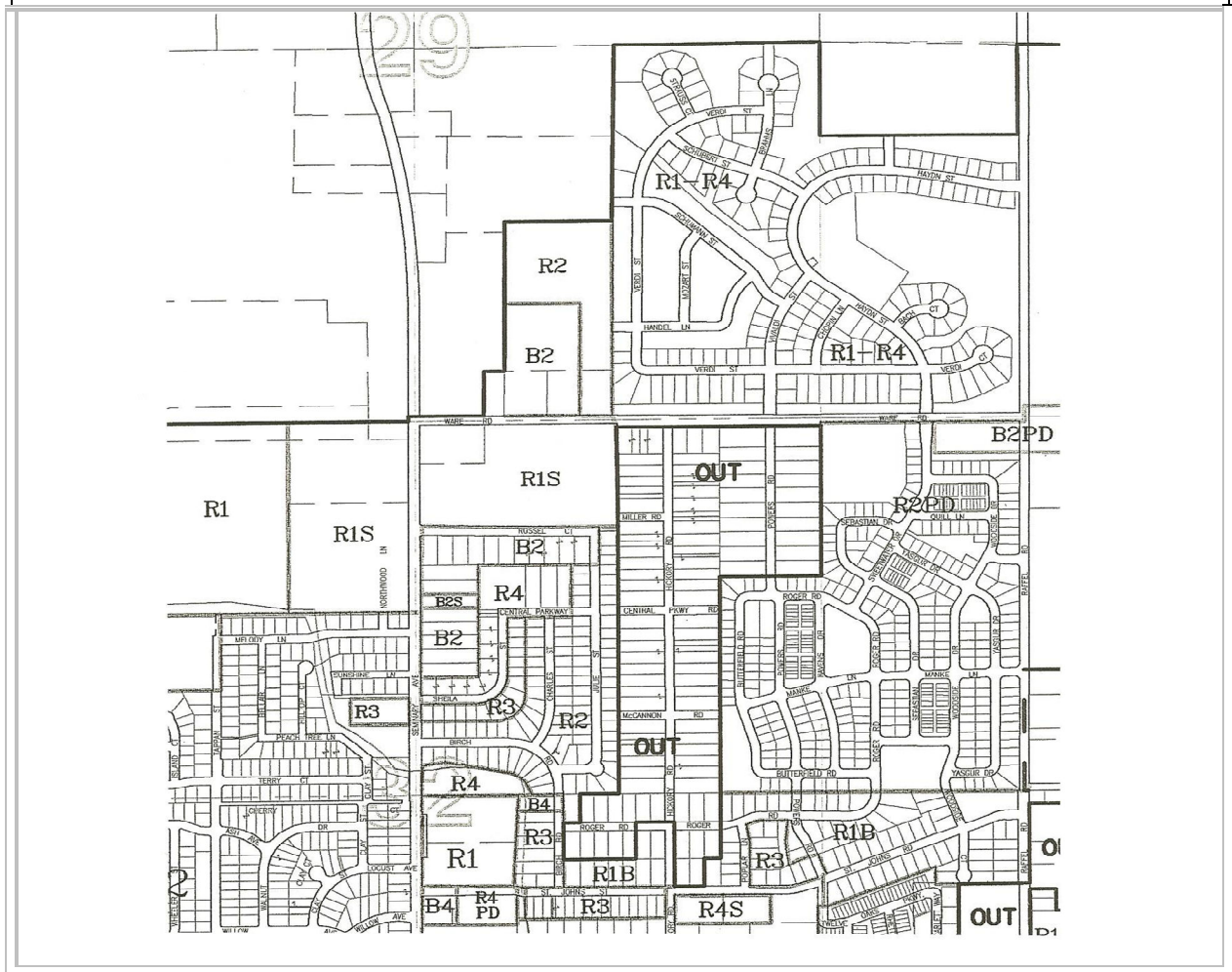
**A. Purpose.** The purpose of establishing these zoning districts in the City and the requirements and restrictions in each of these districts is:

1. to promote the health, safety, and general welfare of the public;
2. to provide for adequate light, air, convenience of access, and safety from fire, flood, and other dangers;
3. to reduce or prevent congestion;
4. to facilitate the provision of adequate public services; and
5. to protect against the overcrowding of land and undue density of population in relation to community facilities;

**B. Zoning Map.** The boundaries of the zoning districts established by this Ordinance are shown on the “Official Zoning Map of the City of Woodstock, Illinois,” which is a part of this Ordinance. An original zoning district map is maintained in the Community Development Department. In case of any dispute regarding the zoning classification of property subject to this Ordinance, the original map maintained in the Community Development Department shall control.

**Commentary:**

*A zoning map will depict individual lots and parcels, as well as zoning districts within a municipality. Land that is surrounded by a municipality, but not annexed, will be labeled “out” and will not have a municipal zoning designation. A partial rendering of Woodstock’s zoning map is provided below.*



**1. District Boundaries**

- a. Unless otherwise indicated on the map, zoning district boundaries shown as following or approximately following streets, alleys, and similar physical features shall be construed to follow the centerlines of such physical features.

- b. All streets, alleys, public ways and railroad right-of-way, if not otherwise specifically designated, are deemed to be in the same zoning district as the property immediately abutting said streets, alleys, public ways and railroad right-of-way.
- c. Zoning district boundary lines shown as following or approximately following the centerlines of streams, rivers, or other continuously flowing watercourses shall be construed as following the channel centerline of such watercourses. In the event of a natural change in the location of those streams, rivers, or other watercourses, the zoning district boundary shall be construed as moving with the channel centerline.
- d. Zoning district boundary lines shown as following or approximately following platted lot lines or other property lines shall be construed as following those lines.
- e. Where a lot or parcel held in single ownership and of record on the effective date of this Ordinance is divided by a zoning district boundary, the entire lot may be construed to have the same zoning designation as the majority of said lot or parcel. When such a lot abuts lots or parcels that are in a more restrictive zoning district, a 10 foot wide buffer area shall be required and shall consist of landscaping materials, fencing, or similar materials.
- f. Unless otherwise indicated on the map, zoning district boundaries shown as following or approximately following railroad lines shall be construed to lie midway between the main tracks of said railroad lines.
- g. Where the above regulations fail to clarify the zoning status of land in a particular case, the Community Development Director shall determine said zoning status in such a manner as to carry out the intent and purpose of this Ordinance. An appeal from the interpretation of the Community Development Director may be made to the Zoning Board of Appeals in the manner provided for herein.

## 2. **Map Scale and Distances**

Zoning district boundaries shown as separate from and parallel or approximately parallel to any of the features listed in this section shall be considered parallel to those features and at such distances as are shown on the map. Distances not specifically indicated on the map shall be determined by the scale of the map.

## 3. **Unclassified or Annexed Land**

It is the intent of this Ordinance that the entire area within the municipal boundaries of the City of Woodstock be classified in a zoning district. All lands within the municipal boundary which are not classified in a zoning district shall be classified in the AG district. Any land annexed into the City shall automatically be classified in the AG district until such time as rezoned by the City Council.

## **7A.2 District Descriptions**

### **A. Agriculture District**

The AG agriculture zoning district permits land use activity that is compatible with existing rural character and agricultural uses while not permanently preventing future development options. When population growth or other forces establishes a need or desire on the part of the City to convert land from the AG designation to a higher intensity zoning classification, these areas may be rezoned to permit more intensive uses. Residential dwellings, home occupations, and low intensity agricultural activity, including but not limited to the preparation, cultivation, and/or sale of ornamental floral arrangements, seeds, and greenhouse products, are permitted on tracts that meet the standards of this zoning district or where a special use permit has been approved.

#### **Commentary:**

*Intensive agricultural uses are most suitable outside the City of Woodstock where land parcels are large enough to accommodate farming and the raising of livestock, where the risk of coming into conflict with urban land activity is minimal, and where the need for municipal water and sanitary sewer services does not exist or where the provision of such services is impractical. In some instances, the AG zoning designation serves as a means of placing development activity "on hold" until such time as the City determines a more appropriate zoning designation and permanent use.*

### **B. Estate District**

The E estate zoning district provides areas for low-density, larger residential home sites with a maximum of one dwelling unit per acre. Properties zoned E should include only those tracts that abut or are in close proximity to existing large-lot single family development, and may also be appropriate for areas where topography or natural features make conventional urban development difficult or impractical. Tracts with an E zoning designation may serve as an appropriate transition between rural, agricultural, and urban uses. The creation of unique development sites is encouraged on such land, especially when it is characterized by topographic diversity, woodlands, wetlands, and other environmental amenities and resources. The E district is expected to provide land for only a small amount of the City's housing stock. It primarily serves those households which desire to live in a rural, low-density area and that are willing to assume the costs of doing so. Residential dwellings and home occupations are permitted on tracts that meet the standards of this zoning district.

### **C. Single Family Detached Residential Districts**

The R, R1B, R1C, and R1D single family detached residential zoning districts contain a significant portion of the City's single family residential development. These districts are intended to accommodate a wide range of housing types and sizes, and to provide low to moderate density residential development served by municipal services and amenities. Residential dwellings and home occupations are permitted on tracts that meet the standards of this zoning district.

**D. Single Family Attached Residential District**

The R3 zoning district is also intended to accommodate portions of the City's residential development. This district provides opportunities for higher-density attached dwellings, such as duplexes, townhomes or rowhouses. Attached residential dwellings and home occupations are permitted on tracts that meet the standards of this zoning district.

**E. Multiple Family Residential District**

The R4 zoning district allows the highest residential density in the City and provides opportunities for apartment dwellings and multi-family residences. Multiple family structures are permitted to have up to 24 apartment dwelling units and shall comply with architectural, aesthetic, and landscape guidelines adopted by the City. This district should be located so that it will not interfere with or damage environmentally sensitive lands and to ensure that adequate open space and recreational facilities are located nearby or within the zoning district itself to serve the needs of the persons who are or will be living in the district. A special use permit is required in order to build a structure with more than 24 apartment dwelling units.

**F. Neighborhood Business District**

Business establishments in the B1 zoning district are intended to serve the immediate needs of the surrounding neighborhood and to accommodate neighborhood oriented, low-intensity retail sales and service uses. The B1 zoning designation is appropriate in existing residential neighborhoods and for new residential developments that include a mixed-use component.

**G. General Business District and Central Business District**

The B2 zoning district is intended to provide the widest variety of goods, services, and mercantile functions within the City. The B2C zoning district is also intended to provide this same variety in the area typically identified as Woodstock's "downtown," while providing this variety in such a way that land uses are easily accessible by walking and compatible with both public and private parking facilities. The B2C district seeks to protect, preserve, and enhance historic and architectural character, conserve the value of buildings, and encourage appropriate use of land in the downtown.

This district acknowledges that Woodstock's downtown contributes significantly to the City's overall image; that the economic vitality of the downtown is important to the overall welfare of the City; that the proper use of property in the downtown will offer social and cultural benefits to the citizens of Woodstock; that a diversity of business, office, institutional, park and residential uses is desirable and appropriate in the core area of the City; that standards and criteria which encourage new buildings, retain the values of surrounding land parcels, and protect the City's traditional character will promote good urban design; and that the encouragement of development within walking distance of the train depot and at sufficient densities that will support the station and downtown businesses is a wise use of land.

**H. Service & Retail District**

The B3 zoning district allows for the establishment of a variety of retail and service uses which are convenient to motorists and accessible to major streets and transportation routes. The B3 district is compatible with the B2, B4, B5 and M1 zoning districts and the uses allowed within them.

**I. Office District**

The B4 zoning district is intended to be used for office activities, civic uses, and similar activity, especially when adjacent to major streets and transportation routes. The B4 district may be used for the establishment of permanent buffers or transitional areas between residential development and more intensive business activity.

**J. Shopping Center District**

The B5 zoning district is intended for a variety of compatible commercial, retail, and some service activities on a single zoning lot. Such uses are adjacent to major streets and transportation routes.

**K. Light Manufacturing District**

The M1 zoning district is intended for a mix of light manufacturing, office, warehousing, or research and development uses, as well as limited service uses. Such uses are intended to be in an attractive business setting with proper screening, landscaping, or buffering, and compatible with adjoining non-industrial land uses. Uses in the M1 zoning district do not typically exhibit offensive characteristics and are associated with small start-up or incubator businesses.

**L. Heavy Manufacturing District**

The M2 zoning district provides opportunities for industrial and manufacturing facilities which are located on or near major transportation routes. Uses in the M2 zoning district are typically more intensive than those permitted in the M1 zoning district and include, but are not limited to manufacturing, fabrication, assembly, compounding, processing, and office activities.

**7A.3 Bulk and Area Standards**

**A. Lot Area, Width and Depth**

The terms “lot area”, “lot width” and “lot depth” shall have the meaning set forth in Chapter 2 of this Ordinance.

**B. Area, Width and Lot Requirements**

The following standards and specifications shall pertain to area, width, and lot requirements, except as may be waived and/or amended by the City Council or when included as part of a Planned Unit Development (PUD) or Traditional Neighborhood Development(TND).

1. Any lot that is created, developed, used, or occupied shall meet the minimum area and width requirements set forth in Table 7A.2 for the zoning district in which it is located, except as provided for in this Ordinance.
2. For all town houses and multiple-family uses, the number of units permitted on a lot shall be based on the number of units in a structure.
3. There shall be only one principal use on a lot or parcel, except in the B1, B2, B2C, B3, B4, B5, M1 and M2 zoning districts or as otherwise provided for in this Ordinance.
4. For all single family attached dwellings and multiple family dwellings, the density and number of dwelling units permitted on a lot or parcel shall be based on the actual number of units in a structure, and shall not exceed the number of units set forth in Table 7A.2.
5. General uses not listed in Table 7A.2 under specific residential zoning districts shall comply with the lot area and lot width specifications required in the M1 zoning district, including those for lot coverage and height.
6. Except as otherwise permitted in this Ordinance, every principal building constructed or erected shall be situated on a lot or parcel which abuts upon a public street or upon an established access easement having a minimum width of thirty (30) feet and recorded prior to January 1, 2006. Flag lots are not permitted.
7. The minimum lot width for attached or multiple family dwelling structures shall be the sum of the width required for the first dwelling unit, plus the width required for each additional dwelling unit.

**C. Yard and Setback Measurements**

1. A setback line establishes and depicts the required minimum distance from any lot line and the area within which a use or structure shall exist or can be placed.
2. The front setback line shall extend across the full width of a lot or parcel, and have a depth which is the distance between the front property line and the closest facade of a building or structure along a line parallel to the front lot line, excluding those projections which constitute a legal encroachment into said setback as set forth in this Ordinance.
3. The rear setback line shall extend across the full width of a lot or parcel, and have a depth which is the distance between the rear property line and the closest facade of a building or structure along a line parallel to the rear lot line, excluding those projections which constitute a legal encroachment into said setback as set forth in this Ordinance.
4. The side setback line shall extend from the required front setback line to the required rear setback line. If a rear setback is not required, the side setback line shall extend to the rear lot or parcel line.
5. On a corner lot the side yard abutting a street shall have a setback equal to the required front yard setback.

**D. General Yard and Setback Requirements**

1. Every lot, parcel, or building shall have a front yard, rear yard, and side yard as set forth on Table 7A.2, except as provided for in this Ordinance.
2. Buildings and structures on a lot shall not be located in whole or in part within a required setback or yard, except as provided for in this Ordinance.
3. When setbacks on a recorded plat are greater or less than those required by this Ordinance, the setbacks on said plat shall apply. However, if property is rezoned after a plat has been recorded and the new zoning district has more restrictive setbacks, the more restrictive setbacks shall apply.
4. Setbacks shown on an approved PUD or TND plan shall control provided the use and/or development of the subject lot or parcel is in conformance with the use and/or development depicted on said PUD or TND plan.
5. The architectural front facade of any single family detached or duplex residential structure shall face the front of a lot or parcel. The architectural front facade of a structure shall be determined by the Community Development Director based on the exterior appearance and the interior design and layout of the residence. At a minimum, the architectural front facade shall include the principal entryway into the residence.
6. Required off-street parking spaces may not be located within the required front yard setback of any lot, parcel, or building. However, driveways providing access to off-street parking spaces are not subject to this restriction. Where additional parking is required, the setback for such parking may be calculated from the right-of-way line in existence prior to the dedication of any additional right-of-way, provided a minimum setback of 20 feet remains.
7. In a residential district the front yard setback may be reduced to 20 feet if garage access is from the rear for all lots on one side of a street between two intersecting streets.
8. Within the B2C district, no front yard or side yard is required if abutting lots or parcels on either side are also zoned B2C. If abutting lots or parcels on either side are not in the B2C district, a front yard and side yard equal to 80 percent of that required in the abutting district shall be provided, or as established by the adjoining use and/or structure, whichever is less.
9. Any side yard in a B business district or in an M manufacturing district, which abuts land zoned AG, E, or R, or an equivalent zoning district if such abutting land is outside the City limits, shall have a minimum width of 20 feet. Any rear yard in a B1, B2, B3, or B4 zoning district which abuts land zoned AG, E, or R shall have a minimum depth of 20 feet. Any rear yard in a B5, M1, and M2 zoning district which abuts land zoned AG, E, or R shall have a minimum depth of 30 feet.
10. The total width of a required side yard shall not be less than the total required in Table 7A.2 and a side yard shall not be less than the minimum side yard requirement set forth in said Table 7A.2.



11. Any side or rear yard abutting a street shall have a setback equal to or greater than the required front yard setback, unless otherwise provided for in this Ordinance.
12. In the M1 and M2 zoning districts, no storage shall take place within 20 feet of a lot or parcel line which abuts an A, E, or R district.

E. **Lot Coverage, Floor Area Ratio, and Building Height Requirements**

1. The terms “lot coverage”, “floor area ratio” and “lot depth” shall have the meaning set forth in Chapter 2 of this Ordinance.
2. Floor area in residential structures shall refer to the gross total horizontal area of all floors below the roof and within the outer surface of principal buildings, or within the centerlines of a party wall separating such buildings or portions thereof, but not including basements, cellars, crawl spaces, attics, garages, breezeways, porches, or other spaces not typically used for living, eating, and sleeping purposes.
3. Floor area in non-residential structures shall refer to the gross total horizontal area of all floors below the roof and within the outer surface of principal buildings, or within lines drawn parallel to and 2 feet within the roofline of any building or portions thereof without walls, exclusive of basements, cellars, crawl spaces, and attics. Said floor area shall not include arcades, porticos, and similar areas open to the outside air which are accessible to the general public and not designed for sales, display, storage, service or production use.
4. The floor area ratio for any zoning lot shall not exceed the ratio shown in Table 7A.2.
5. The total area covered by any building on a zoning lot, including the principal and accessory buildings, shall not exceed the percentage of the total lot area as shown in Table 7A.2.
6. The height of a principal building and the height of an accessory structure shall not exceed the height in feet as shown in Table 7A.2, except as provided for in this Ordinance.
7. Any non-residential building or structure within 35 feet of a residential zoning district boundary shall have a maximum height of 36 feet or three stories.

Table 7A.2: Area and Bulk Requirements													
Zoning Districts and Uses	Minimum Lot Size			Minimum Yards						Maximum Bulk			
	Area	Width	Front	Rear	Total Side	Min. Side	Next to Street	Next to E or R Zone (A)	Lot Coverage	Floor Area Ratio	Height of Prin. Use	Height of Access. Use	Min. Dwelling Size: 1 story/1+ story
	Sf. or acres	Ft.	Ft.	Ft.	Ft.	Ft.	Ft.	Ft.	%		Ft. / stories	Ft. / stories	Sf.
<b>Column Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>120</b>	<b>13</b>
AG	40	500	50	100	50	25	50	-	-	-	35/3	35/3	1600/1800
E	1	150	40	50	50	20	40	-	20	.1	35/3	30/2	1600/1800
R	7,200	60	25	30	16	8	25	-	40	.35	30/3	25/2	950/1350
R1B	8,500	75	25	30	16	8	25	-	40	.3	30/3	25/2	1200/1450
R1C	10,000	80	25	30	20	10	25	-	30	.3	30/3	25/2	1200/1450
R1D	20,000	85	30	30	25	10	30	-	30	.2	35/3	25/2	1600/1800
R3	Same as R requirements												
1-family	10,000	70	25	30	15	7	25	-	30	.5	35/3	25/2	700
2-family	+3,000	+10	-	-	-	-	-	-	-	-	-	-	700
+ each additional dwelling unit													
R4	Same as R												
1-family	5,000	50	30	30	20	10	30	-	30	.6	35/3	25/2	500
2-family	2,500	+10	-	-	-	-	-	-	-	-	-	-	500
townhouse	5,000	50	30	30	20	10	30	-	30	.6	35/3	25/2	600
multi-family	2,500	+10	-	-	-	-	-	-	-	-	-	-	600
efficiency	5,000	50	30	30	20	10	30	-	30	.6	35/3	25/2	700
+ each additional dwelling unit	2,500	+10	-	-	-	-	-	-	-	-	-	-	700
1-bedroom	5,000	50	30	30	20	10	30	-	30	.6	35/3	25/2	700
+ each additional dwelling unit	2,500	+10	-	-	-	-	-	-	-	-	-	-	700
1-bedroom +	5,000	50	30	30	20	10	30	-	30	.6	35/3	25/2	700
+ each additional dwelling unit	2,500	+10	-	-	-	-	-	-	-	-	-	-	700
B1	5,000	80	25	20	20	10	10	-	20	1.0	36/3	15/1	
Table 7A.2: Area and Bulk Requirements													

Zoning Districts and Uses	Minimum Lot Size		Minimum Yards						Maximum Bulk				
	Area	Width	Front	Rear	Total Side	Min. Side	Next to Street	Next to E or R Zone (Note A)	Lot Coverage	Floor Area Ratio	Height of Prin. Use	Height of Access. Use	Min. Dwelling Size: 1 story/1+ story
	Sf. or acres	Ft.	Ft.	Ft.	Ft.	Ft.	Ft.	Ft.	%		Ft. / stories	Ft. / stories	Sf.
<b>Column Number</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>120</b>	<b>13</b>
B2	10,000	80	30	20	20	10	30	20	50	1.0	36/3	15/1	
B2C	2,000	10	-	20	-	-	-	20	75	2.5	60/5	28/2	Same as R4
B3	5,000	40	30	20	20	10	30	20	50	1.0	48/4	15/1	
B4	10,000	80	30	20	20	10	30	20	50	1.0	48/4	15/1	
B5	20,000	100	50	20	40	20	50	30	50	1.0	40/2	15/1	
M1	20,000	100	25	30	20	10	25	30	50	1.0	48/4	28/2	
M2	40,000	150	30	30	25	10	30	30	50	1.5	60/5	28/2	

\* **Note A:** Refer to Section 7A.3.D. for additional requirements.

(Ordinance Number 09-O-64, adopted October 20, 2009).

#### **F. Residential Dwellings in Business Zoning Districts**

Apartment dwelling units are permitted in the B2C district. Apartment dwellings are permitted in the B1, B2, and B4 districts, but only where the dwelling unit is located above a ground floor business use. Apartments above a business use in a B3 or B5 district may only be approved as a special use. All such dwelling units shall meet the minimum dwelling unit size established for the R4 district.

#### **G. Setback and Building Height Encroachments and Exceptions**

1. The following structures or parts of structures are permitted to project into or to be constructed in any required yard or beyond the building setback line shown on a final plat of subdivision:
  - Accessory mechanical equipment when no closer than 1 foot from a side or rear lot or parcel line. (Ordinance Number 09-O-64, adopted October 20, 2009).
  - Awnings and canopies, up to 5 feet into a required yard.
  - Bay or bow windows, up to 2.5 feet into a required yard.
  - Chimneys, up to 2 feet into a required yard.
  - Attached decks and other similar unenclosed structures no greater in height than the finished first floor elevation, only in a side or rear yard, and not within 5 feet of the rear lot line and 5 feet of the side lot line.
  - Residential driveways and curbs, at least 1 foot from a lot or parcel line, unless shared among two or more lots or parcels.
  - Non-residential driveways or curbs, at least 5 feet from a property line unless shared among two or more lots or parcels.
  - Fences and walls, in accordance with the provisions of this Ordinance.
  - Flagpoles and clothesline posts, at least 5 feet from the lot or parcel line. (Ordinance Number 09-O-64, adopted October 20, 2009).
  - Mailboxes, sidewalks.
  - Unenclosed steps or stairs to a dwelling at least 3 feet from a side or rear lot line and not encroaching more than 7 feet into a required front yard.
  - Ramps for handicap access, provided such a ramp is at least 3 feet from a side or rear lot line and does not encroach more than 12 feet into a required front yard.
  - Overhanging roof, eave, gutter, cornice or other architectural feature, up to 2 feet into a required yard.
  - Parking spaces, in accordance with the provisions of this Ordinance.
  - Patios and terraces constructed at least 5 feet from the lot or parcel line. (Ordinance Number 09-O-64, adopted October 20, 2009).
  - Play equipment, permanently installed, in an AG, E, or R district, located within a side or rear yard only and not within 5 feet of a lot line. (Ordinance Number 09-O-64, adopted October 20, 2009).
  - Signs, as provided for by the Woodstock sign control regulations.
  - Trees, shrubs, and similar landscape planting.
  - Yard and service lighting fixtures (down lighting only) and poles, as provided for in the Project Review Regulations and Standards.

2. The following structures or parts of structures are exempt from the height restrictions contained herein:
- Agricultural buildings and accessory uses, not including dwellings, on a lot or parcel zoned for agricultural activity.
  - Fire, mechanical, and smoke towers, not more than 16 feet above the height restrictions of the underlying zoning district.
  - Accessory mechanical equipment or structure, when screened from public view.
  - Public utility poles, towers, and wires.
  - Telecommunications towers and antennae, in accordance with the provisions of this Ordinance.
  - Water storage tanks and standpipes.

#### **H. Appearance Review and Criteria**

Principal institutional, commercial, industrial, multiple family, and townhome structures containing three or more dwelling units, constructed after the date of this Ordinance, shall comply with the City's appearance and project review procedures, regulations, and guidelines, including those applicable to Woodstock's Historic Downtown Business Preservation District.

#### **I. Common Front Yard Setbacks**

Where lots on the same side of a street and comprising 50 percent or more of the frontage between two intersecting streets are developed with buildings having front yards less than the minimum required, the average front yard of such lots shall determine the minimum front yard setback required for that frontage. However, in no case shall said average front yard setback be less than 20 feet or result in a setback greater than that required in the underlying zoning district. For purposes of this section, any yard abutting a street shall be treated as a front yard. (Ordinance Number 09-O-64, adopted October 20, 2009).

#### **J. Public Utility Exemptions**

Nothing in this Ordinance shall impose restrictions on the type or location of any public utility infrastructure, including but not limited to sewers, water lines, drainage swales, underground wires, cables, conduits, vaults, laterals, or similar distribution equipment. Where such infrastructure is within a recorded easement, land disturbing or building activities which restrict the use of the easement for infrastructure purposes, are not permitted. If a property owner conducts such land disturbing or building activities, it is at the owner's sole risk and the City is not responsible or liable for any damages.

#### **K. Setbacks on Major Streets**

In order to provide for the safety and general welfare of the City, the following front yard setbacks for building and parking activity on major streets are established.

<b><u>Street and Location</u></b>	<b><u>Setback</u></b>
IL Route 47 - From US Route 14 south to City limits:	90 feet from center of IL Route 47 or 50 feet from right-of-way line, whichever is greater

IL Route 47 - From IL Route 120/McHenry Avenue north to City limits:	30 feet
Calhoun Street - From IL Route 47 west to Throop Street:	30 feet
Dean Street - From South Street south to City limits:	30 feet
Lake Avenue - From South Street southeast to US Route 14:	30 feet
McHenry Avenue - From IL Route 47 northeast to City limits:	30 feet
South Street - From East Lake Street west to City limits:	30 feet
South Street - From Fair Street east to IL Route 47:	30 feet
Washington Street - From Tryon Street northwest to City limits:	30 feet
West Jackson Street - From Tryon Street west to City limits:	30 feet

#### 7A.4 Transitional Provisions

A. If, as the result of the adoption of this Ordinance, a zoning district is eliminated and there is no corresponding zoning district classification on the Official Zoning Map or on Table 7A.3 below, property zoned as such eliminated district shall remain subject to all restrictions, regulations, and conditions imposed under the zoning ordinance in effect at the time that the former Official Zoning Map was effective, unless and until the zoning classification of the property is amended pursuant to this Ordinance.

B. If a property is the subject of Special Use Permit or Planned Unit Development approval by the City at the time of adoption of this Ordinance, it shall remain subject to all terms, conditions, and restrictions of approval under the zoning regulations in effect when the Special Use Permit or Planned Unit Development approval was granted, including any approved final plans or plats, unless and until the zoning classification of such property is amended pursuant to this Ordinance.

<b>Table 7A.3: Transitional Provisions</b>			
<b>Column A: Zoning Districts (Former Zoning Ordinance and Official Zoning Map)</b>		<b>Column B: Zoning Districts (This Ordinance and Official Zoning Map)</b>	
A	Agriculture District	AG	Agriculture District
E5	Estate District	E	Estate District
E3	Estate District		
E2	Estate District		
E1	Estate District		
R1	Single Family Residential District	-	-
R1A	Single Family Residential District	R1D	Same
R1B	Single Family Residential District	R1B	Same
-	-	R1C	Single Family Residential District
R2	Single Family Residential District	R	Same
R3	One-Four Family Residential District	R3	Single Family Attached Residential District
R4	Multiple Family Residential District	R4	Same
B1	Local Business District	B1	Neighborhood Business District
B2	General Business District	B2	Same
B2C	Central Business District	B2C	Same
B3	Service & Wholesale District	B3	Service & Retail District
B4	Office District	B4	Same
B5	Shopping Center District	B5	Same
M1	Limited Manufacturing & Research District	M1	Light Manufacturing District
M2	General Manufacturing District	M2	Heavy Manufacturing District

## **7A.5 Nonconformities**

### **A. Purpose**

The purpose of this chapter is to regulate and limit the development and continued existence of uses, structures, and lots legally established prior to the effective date of this Ordinance that no longer conform to the City's zoning regulations. All such situations are collectively referred to as "nonconformities." A nonconformity may also occur as a result of any subsequent rezoning or amendment to the text of this Ordinance. Any nonconforming use, structure, or lot that lawfully existed as of the effective date of this Ordinance and that remains nonconforming, and any use, structure, or lot that becomes nonconforming as a result of any subsequent rezoning or amendment to the text of this Ordinance, may be continued or maintained only in accordance with the terms of this Chapter.

### **B. Determination of Nonconforming Status**

In all cases, the burden of establishing that a nonconformity is legal shall rest solely upon the owner of such nonconformity and not upon the City.

### **C. Change of Ownership or Tenancy**

Changes of ownership, tenancy, or management of an existing nonconformity may occur, however, such nonconformities shall continue to be subject to the provisions of this Chapter.

### **E. Damage or Destruction**

If a nonconforming use or a structure containing a nonconforming use is destroyed to an extent greater than 50 percent of its replacement cost at the time of destruction, then such use or structure shall not be re-established unless it is in conformity with the requirements of this Ordinance.

### **F. Discontinuance of Use**

Except as provided for in this Ordinance, if a nonconforming use is discontinued for one year or more, then the property shall thereafter be occupied and used only for a conforming use. If a nonconforming use of property is discontinued, but re-established within less than one year, then the nonconforming use may continue, if the nature and degree of nonconformity is not changed or increased from that which existed before it ceased.

### **G. Change of Use**

Any nonconforming use may be changed to a conforming use by securing all approvals and permits required for the intended or resulting use. No nonconforming use may be changed to another nonconforming use. The establishment or replacement of residentially used structures on land zoned for non-residential use shall be prohibited unless a change to an appropriate residential zoning district is approved by the City Council. The enlargement or expansion of a nonconforming structure or nonconforming use is not permitted.

#### H. Continuation, Maintenance, and Minor Repair

The continuation of a nonconforming use and the maintenance or minor repair of a structure containing a nonconforming use are permitted, provided that the continuation, maintenance, or minor repair does not expand the nonconforming use or structure. For purposes of this section, “maintenance or minor repair” shall mean:

- Repairs necessary to maintain and to correct any damage or deterioration to the structural soundness or exterior appearance of a building or structure without expanding or altering the building or structure.
- Maintenance of land areas to protect against health hazards and promote the safety of surrounding land uses; and
- Repairs that are required to remedy unsafe conditions that cause a threat to public safety.

#### I. Non-conforming Lots of Record

A non-conforming lot of record is a lot designated on a duly recorded subdivision plat or deed or by other lawful means which has less than the minimum lot area or dimensions prescribed for the zone in which the lot is located. A non-conforming recorded lot is one which was conforming at the time it was recorded, but which became non-conforming as a result of changes in the zoning regulations. A non-conforming recorded lot is subject to the following provisions:

1. Residential Zoning Districts. A non-conforming recorded lot may be used for a single family dwelling and accessory use provided that required yard setbacks are provided as established in Table 7A.2 of this Ordinance with the exception that one side yard be not less than eight (8) feet and the other be ten (10%) percent of the lot width or a minimum of four (4) feet, whichever is greater. Where an existing structure occupies a non-conforming lot of record, all yards shall meet at least seventy (70%) percent of the requirements set forth in Table 7A.2 for the district in which it is located.
2. Non-Residential Zoning Districts. A non-conforming lot of record may be used for any principal use and accessory use permitted in the zoning district in which it is located. Front and rear yards, height restrictions, coverage, and floor area ratio shall comply with all requirements set forth in Table 7A.2 of this Ordinance. Side yards (SY) shall be determined as follows:

Actual width (AW) of the lot multiplied by the minimum side yard (MSY) required in the zoning district in which the lot is located and dividing this amount by the minimum lot width (MLW) required in the zoning district in which the lot is located.

$$SY = (AW \times MSY) / MLW$$

3. No side yard, however need be greater than that required in the zoning district in which it is located. Also, on a non-conforming corner lot of record, the side yard abutting a secondary street shall have a setback of no less than twenty (20) feet.

#### J. Adjacent Lots in Single Ownership



If two or more adjacent and vacant nonconforming lots are in single ownership at any time, and such lots individually have less frontage or area than the minimum requirements of the district in which they are located, then they shall be considered and treated as a single lot or as several lots which meet the minimum requirements of this Ordinance for the district in which they are located. Any construction, replacement or enlargement of a single-family dwelling or single structure permitted by the underlying zoning designation, shall require a recombination of all necessary lots in order to achieve compliance with the provisions of this section.

#### **K. Enforcement of Requirements**

The City may withhold necessary permits, inspections, or other approvals to ensure compliance with these regulations.

### **7A.6 Permitted Uses**

#### **A. Use Permit**

No change shall be made in the use of any building or structure now or hereafter erected or structurally altered, or in the use of land now or hereafter occupied, without first obtaining a use permit from the Community Development Director. A use permit shall not be issued unless said use complies with the provisions of this Ordinance and any amendments thereto.

#### **B. Allowed, Temporary, and Special Use Table**

Table 7A.4 lists the uses allowed within specific zoning districts. An “X” indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this Ordinance. A “T” indicates that a use is temporary or seasonal and is subject to the specific regulations and time restrictions established in this Ordinance. An “S” indicates that a use is allowed subject to issuance of a special use permit and subject to additional provisions. Special uses require particular consideration in regard to location, relationship to surrounding uses and zoning districts, and impact upon the planned and orderly development of neighboring properties and the City. An “A” indicates that a use is accessory to a permitted use. A blank cell indicates that a use is not allowed in the respective zoning district.

1. Use Standards. The “standards” column of Table 7A.4 contains references to development standards that apply to the listed use type. These standards are presented in Chapter 7B.
2. Accessory Uses: An accessory use is subordinate to and located on the same lot on which the main building or use is situated as established in this Ordinance. Accessory uses are not indicated on Table 7A.4.

**Commentary:**

*The Use Table (Table 7A.4) is organized into major use categories. The use category system is based on common features and characteristics, and consists of the following categories:*

- **AGRICULTURE**  
*Agriculture, agriculture related business*
- **COMMERCIAL SERVICES**  
*Business support services, commercial services, personal services, vehicle services*
- **EDUCATION AND INSTRUCTION**
- **ENTERTAINMENT AND RECREATION**  
*Entertainment oriented business, major events, outdoor recreation, and entertainment*
- **FOOD AND BEVERAGE**
- **HEALTH CARE**
- **INDUSTRIAL SALES AND SERVICE**
- **MANUFACTURING**
- **OFFICE**
- **PUBLIC, QUASI-PUBLIC, INSTITUTIONAL, CIVIC AND FRATERNAL**
- **RESIDENTIAL**  
*Household, non household*
- **RETAIL SALES**
- **SPECIAL USES**
- **TEMPORARY USES**
- **TRANSPORTATION RELATED USES**
- **UTILITIES**
- **WHOLESALE**

**TABLE 7A.4: Allowed and Special Use Table**

AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
<b>AGRICULTURE</b>																	
								<b>AGRICULTURE</b>									
S								Apiary									
S								Dairy Farm									
S								Farming, field, and garden crops							X	X	
S								Flower farm, nursery							X		
S								Game animal farm									
S								Horse farm									
S	S	S						Low intensity agricultural uses							X		These uses include but are not limited to the preparation, cultivation, and/or sale of ornamental floral items, seeds, and greenhouse products, and are permitted on sites that do not meet the minimum lot size required in the AG district.
S								Nursery							X		
S	S							Orchard & Christmas trees									
S								Poultry, hatchery, egg farm									
S								Truck farm									
								<b>AGRICULTURE RELATED BUSINESS</b>									
								Agricultural implement sales & service		X		X			X	X	
S								Bulk agricultural chemical storage							S	S	
								Canning and food processing							X	X	
S								Feed/grain sales		X		X			X		
S								Grain elevator							X	X	
								Greenhouse, Wholesale							X		
								Greenhouse, Retail		X		X		X			
S								Kennel, animal shelter, dog training		S		X			X	X	Supplemental use standards apply
S								Riding Stable (Commercial)							S		
S								Sale of farm products/farm stand—grown on premises									
S								Veterinary clinic		X		X	X		X		Supplemental use standards apply to facilities with over 6 outside runs.

AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
<b>COMMERCIAL SERVICES</b>																	
								<b>BUSINESS SUPPORT SERVICES</b>									
								Accounting office		X	X	X	X		X	X	
								Advertising agency		X	X	X	X		X	X	
								Bank, savings and loan, credit union		X	X	X	X	X			
								Document scanning, copying, printing		X	X	X	X		X		
								Employment agency		X	X	X	X		X		
								Insurance office		X	X	X	X		X		
								Mailing/parcel service		X	X	X	X	X	X		
								Office and computer equipment sales, leasing, repair		X	X	X			X		
								Photo processing		X	X	X	X	X			
								Security service		X	X	X	X		X		
								Travel agency		X	X	X	X		X		
								<b>COMMERCIAL SERVICE</b>									
								Appliance service		X		X			X		
								Auction house				X			X		
								Cleaning service				X			X	X	
								Dry cleaning, commercial							X	X	
								Exterminating, fumigating				X			X	X	
								Furniture repair and refinishing				X			X	X	
								Newspaper publishing and printing				S			X	X	
								Radio or television studio		X		X	X		X		
								Radio towers and antennas									See Chapter 7D for specific standards
								Self storage facility							X		Supplemental use standards apply
								<b>PERSONAL SERVICE</b>									
								Barber shop, beauty salon, tanning salon, spa	X	X	X	X		X			
								Body art, tattoos, piercing		X	X	X					
								Crematory							S	S	
							S	Day care, adult or child	S	X	X	X	X		S		
								Dry cleaning, laundry, laundromat	X	X	X	X			X		
								Funeral home, mortuary	S	X	X	X					
								Massage therapy	X	X	X	X	X				

AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
								Photography studio		X	X	X					
								Psychic reading		X	X						
								Tailor, seamstress	X	X	X	X					
								<b>VEHICLE RELATED SERVICE</b>									
								Car wash		S	S	S		S	S		Supplemental use standards apply. May be accessory to gas station, but must be included in special use for gas station
								Gas station, fueling station		S	S	S		S	S		Supplemental use standards apply.
								Impound yard		S		S			S	S	Supplemental use standards for outdoor storage and for vehicle repair shall apply
								Minor automobile repair		X		X			X		Supplemental use standards for vehicle repair shall apply
								Major automobile repair				X			X		Supplemental use standards for vehicle repair shall apply
								Passenger vehicle sales and rentals, including motorcycles				X		X	X		Supplemental use standards shall apply
								Recreation vehicle repair				X		X	X		Supplemental use standards for vehicle repair shall apply
								Truck and large equipment repair				X			X	X	Supplemental use standards for vehicle repair shall apply
								Truck and large equipment sales and rentals				X			X		Supplemental use standards shall apply
								Truck wash				S			S	S	Supplemental use standards apply.
								Vehicle cleaning, detailing		X		X			X		
								Vehicle storage				S			S	S	Supplemental use standards for outdoor storage apply and for vehicle repair shall apply
<b>EDUCATION AND INSTRUCTION</b>																	
								Driving school		X		X			X		
S	S	S	S	S	S	S	S	Pre K through 12 Public Schools							S	S	
S	S	S	S	S	S	S	S	Pre K through 12 Private Schools							S	S	
S	S	S	S	S	S	S	S	College, university, seminary	S	S	S	S	S	S	X	X	
							S	Pre-school facility	S	X	X	X	X		X	X	
S								Trade school							X		
							S	School for visual or performing arts	S	X	X	X	S				

AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
								Recreation/sports instruction	X	X	X	X	X	X	X		
<b>ENTERTAINMENT AND RECREATION</b>																	
								<b>ENTERTAINMENT ORIENTED BUSINESS</b>									
								Adult business		S							Supplemental use standards apply.
								Athletic club, health club		X	X	X		X	X		
								Bowling alley		X	X	X		X			
								Game room, billiard room	S	X	X	X	X	X			
								Night club		X	X	X		X			
								Recreation instruction, e.g. fitness, dance, martial arts	X	X	X	X	X	X	X		
								Skating rink, skate park, indoor		X	X	X		X	X		
								Teen club, youth club	S	X	X	X		X			
								Movie theater		X	X	X		X			
								<b>MAJOR EVENTS</b>									
								Amphitheater				S		S			
S								Festival grounds, fairgrounds, convention center, expo center				S	S	S	S		
								Race track—motor vehicles							S		
S								Race track—animals									
								Sports arena, stadium				S		S			
								<b>INDOOR - OUTDOOR RECREATION &amp; ENTERTAINMENT</b>									
								Amusement park, water park, theme park		S		S		S			Supplemental use standards apply.
S	S	S	S	S	S	S	S	Athletic fields		X	X	X		X	S	S	
*	*	*	*	*	*	*	*	Bath and tennis club	X	X	X						* Allowed in any residential zoning district as part of an approved PUD. Supplemental use standards for outdoor recreation facilities apply.
								Carnival		T	T	T		T	T		
								Drive in theater				S		S	S		

AG	F	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
X	X	*	*	*	*	*	*	Golf course/golf club/country club									*Allowed in any residential zoning district as part of an approved PUD
S								Golf driving range				S			X		Supplemental use standards for outdoor recreation facilities apply.
								Miniature golf, go carts, batting cages				X		X			Supplemental use standards for outdoor recreation facilities apply.
S								Outdoor shooting range, rod and gun club									Supplemental use standards for outdoor recreation facilities apply.
S								Riding stable, commercial							S		
S	S	S	S					Sports complex, outdoor recreation complex				S		X	X		
<b>FOOD AND BEVERAGE</b>																	
								Banquet hall		X	S	X	X	X			
								Beer garden		X	X	X	X	X			Permitted only as an accessory use
								Brew pub		X	X	X	X	X			
								Canning and food processing							X	X	
								Catering		X	X	X			X		
								Coffee shop, internet cafe	X	X	X	X	X	X			
								Ice cream shop	X	X	X	X	X	X			
								Outside dining area	X	X	X	X	X	X			Permitted only as an accessory use
								Restaurant - sit down or carryout	S	X	X	X	X	X			
								Restaurant—drive thru		X	X	X	X	X			
								Tavern	S	X	X	X	X	X			
<b>HEALTH CARE</b>																	
								Doctor or dentist office or clinic	X	X	X	X	X	S	S		
								Health care campus				S	S	S	S		
								Hospital		X		X	X	S	S		
								Lab for diagnosis and or treatment		X		X	X		X		
							S	Nursing home, rest home	S	X	S	X					
							S	Rehabilitation, intermediate care, extended care	S	X	S	X			S		
							S	Sheltered care	S	X	S	X					
								Urgent care		X	X	X	X		S		

AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
<b>INDUSTRIAL SALES AND SERVICE</b>																	
								Building materials sales				X			X		Must be screened as per project review regulations and standards.
								Bulk material storage yard							X	X	Supplemental use standards for outdoor storage apply
								Contractor equipment rental				X			X	X	Supplemental use standards for outdoor display, sales and storage apply
								Contractor office and equipment storage yard, 4 or more vehicles							X	X	Supplemental use standards for contractors equipment yard apply
								Contractor office and equipment storage yard, less than 4 vehicles				X			X	X	Supplemental use standards for contractor's equipment yard apply
								Electrical equipment sales and fixtures				X			X		
								Exterminator				X			X	X	
								Freight service							X	X	
								Furniture, carpet, rug cleaning plant							X	X	
								Furniture repair and upholstery				X			X	X	
								Glass and mirror repair and sales				X			X	X	
								HVAC sales and fixtures				X			X		
								Janitorial and building maintenance service				X			X		
								Junk yard								S	
								Laboratory, product testing, or scientific research and development							X	X	Supplemental use standards apply.
								Machinery storage yard							X	X	Must be screened in accordance with applicable appearance guidelines
								Machining or welding							X	X	
								Metal product fabrication							X	X	
								Monument works				X			X	X	
								Plumbing supply & fixture sales				X			X		
								Recycling and storage center				X			X	X	
								Repair: electric motors, tools, musical instruments, scientific instruments				X			X	X	
								Salvage and wrecking yard								S	
								Septic tank sales and service							X	X	
								Towing service		X		X			X	X	
								Truck and trailer rental				X			X	X	
								Truck servicing and repair				X			X	X	



AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
								Vehicle storage, inside				X			X	X	
								Vehicle storage, outside				S			S	S	
								Warehouse, storage				X			X	X	
<b>MANUFACTURING</b>																	
								Power generation plant							S	S	See Chapter 7B for specific standards
								Foundry							S	S	
								Asphalt, concrete, ready-mix and rock crushing							S	S	
								Manufacture, fabrication, assembly, or finishing of:							X	X	
								Building components									
								Equipment or furnishings									
								Mechanical products									
								Consumer goods from industrial materials									
								Manufacture, fabrication, or assembly of:							X	X	
								Clothing or other articles									
								Electrical or electronic components and equipment									
								Fabric products									
								Finished leather goods and products									
								Finished metal and or wood products and consumer goods									
								Hand tools and similar consumer items									
								Musical instruments									
								Sporting goods and recreational equipment									
								Manufacture, fabrication, compounding, treatment or processing of :							X	X	
								Automobiles and automotive components;									
								Building materials;									
								Cosmetics;									
								Ferrous or non-ferrous metals;									
								Food or food products;									
								Glass products;									
								Packing or packing materials;									

AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
								Paper; Pattern or ceramic products; Pharmaceuticals; Plastics; Textiles									
								Manufacture, fabrication, compounding, treatment, storage, sales, rental or repair of:								X	
								Construction equipment and machinery; Fuel products and flammable chemicals; Bulk fuel; Industrial equipment and machinery oil.							X		
								Manufacturing of small parts and mechanical components of casting processes							X		
								Scientific and applied research and development							X		
								Manufacture, compounding, treatment or processing of raw materials or products other than finished consumer goods, including:								S	
								Coal, oil, latex, chemicals, animal products or by-products.									
<b>OFFICE</b>																	
								Medical or other health care office		X	X	X	X	X	X		
								Neighborhood office	X	X	X	X	X	X	X		Definition: less than 2,500 sf
								Professional office		X	X	X	X	X	X		
S								Public/government office		X	X	X	X	X	X		
X								Veterinary clinic		X		X	X	X	X		Supplemental use standards apply
<b>PUBLIC, QUASI-PUBLIC, INSTITUTIONAL, CIVIC AND FRATERNAL</b>																	
X								Aquarium, botanical garden, zoo		S	S	S					
								Armed forces training center							X		
S	S	S	S	S	S			Cemetery, mausoleum									May be an accessory use to a conventional cemetery

AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
S	S	S	S	S	S	S	S	Church or similar place of worship	S	S	S	S					Supplemental use standards for religious institutions apply
							S	Club, fraternal or civic	S	X	X	X	X		X		
S	S	S	S	S	S	S	S	Community center	S	X	X	X					
S								Convention center				S		S			
S								Fairgrounds							S		
X	S	S	S	S	S	S	S	Firehouse	S	X	S	X	X	X	X	X	
S								Government offices/agencies	X	X	X	X	X		X	X	
								Hospital		X		X	X		X		
			X	X	X	X	X	Library	X	X	X		X				
S								Museum		X	X	X		X	S		
X	X	X	X	X	X	X	X	Park, public	X	X	X	X	X	X	X	X	
S	S							Pet cemetery									
								Post office	X	X		X	X	X	X	X	

## RESIDENTIAL

								<b>HOUSEHOLD</b>									
A	A	A	A	A	A	A	A	Accessory senior apartment									
							X	Apartments, 4 dwelling units or less			X						
							X	Apartments, 25 dwelling units or less			X						Supplemental use standards apply and need to be developed
							S	Apartments, more than 25 dwelling units			S						
								Apartments above a business	X	X	X	S	X	S			Permitted only as an accessory use. Supplemental use standards apply
	S	S	S	S	S	S	S	Bed and Breakfast			S						
							S	Boarding house	S	S	S						See definition
X	X	X	X	X	X	X	X	Group home - type I			X						
A	A	A	A	A	A	A	A	Home occupation									
X	X	X	X	X	X	X	X	Single family dwelling, detached									
							X	Townhouse (single family attached), 4 units or less									
							X	Townhouse (single family attached) 8 units or less									
							X	Two family dwelling			X						

AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
								<b>NON HOUSEHOLD</b>									
								Apartment hotel		X	X	X					
						S	S	Assisted living	S	S	S	S	S				
						S	S	Boarding house	S	S	S						
						S	X	Congregate living for elderly (up to 20 residents), also referred to as independent living	S	S	X						
							S	Congregate living for elderly (more than 20 residents) also referred to as independent living		S							
							S	Extended care facility		S	S						
						S	S	Group dwelling – type 2									
A	A	A	A	A	A	A	A	Home Day Care									
								Hotel, Motel		X	X	X	X	X			
						S	S	Nursing home	S	S	S	S	S				
					S	S		Retirement Community									To be reviewed as a PUD
S						S	S	Transitional Housing/Shelter									
<b>RETAIL SALES</b>																	
								Adult use		S	S						Supplemental use standards apply
								Antique store	S	X	X	X	X	X			
								Discount store		X	X	X	X	X			
								Food and beverage sales	*	X	X	X	X	X			* Permitted only if use is 2,500 square feet or less.
								Factory outlet store		X	X	X	X	X	X		Permitted in the M1 zone only as an accessory use
								General merchandise	*	X	X	X	X	X			* Permitted only if use is 2,500 square feet or less.
								Household furnishings		X	X	X	X	X			
								Motor vehicle parts sales				X			X		
								Neighborhood store	X								
								Outdoor sales	X	X	X	X	X	X	X		Permitted only as an accessory use. Supplemental use standards apply
								Passenger vehicle sales				X		X	X		Supplemental use standards for automobile dealership/passenger vehicle sales apply.
								RV sales				X		X	X		

AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
								Pawn shop			S	S					
								Pharmacy	*	X	X	X	X	X			* Permitted only if use is 2,500 square feet or less.
								Resale store		X	X	X					
								Superstore, warehouse store, big box store				X	X	X			Supplemental use standards apply.
<b>SPECIAL USES</b>																	
S	S							Mining, extraction of earth products							S	S	
	S	S	S	S	S	S	S	Planned unit developments	S	S	S	S	S	S	S	S	
<b>TEMPORARY USES</b>																	
T	T	T	T	T	T	T	T	Temporary auction	T	T	T	T	T	T	T	T	
T								Temporary carnival or circus		T				T	T	T	
T								Temporary Christmas tree sales	T	T	T	T	T	T	T	T	
T	T	T	T	T	T	T	T	Temporary contractors office and equipment trailer	T	T	T	T	T	T	T	T	
T	T	T	T	T	T	T	T	Temporary storage “pod” or moving container	T	T	T	T	T	T	T	T	
T	T	T	T	T	T	T	T	Temporary real estate sales trailer	T	T	T	T	T	T	T	T	
T	T	T	T	T	T	T	T	Temporary real estate model home	T	T	T	T	T	T	T	T	
T								Temporary seasonal sale of farm produce									
								Temporary special promotions	T	T	T	T		T			
<b>TRANSPORTATION RELATED USES</b>																	
S								Airport, heliport							S	S	Supplemental use standards apply
								Bus garage, car barn							X	X	
								Cargo terminal							X	X	
								Parking garage, public		X	X	X	X				
S						S		Parking lot	X	X	X	X	X	X	X	X	
								Passenger terminal, train station		X	X	X			X	X	
								Train maintenance yard, storage yard							X	X	
								Truck terminal							X	X	
								Warehouse, storage				X			X	X	

AG	E	R1D	R1C	R1B	R	R3	R4	USE	B-1	B-2	B-2C	B-3	B-4	B-5	M-1	M-2	COMMENTS
<b>UTILITIES</b>																	
								Gas storage tanks, liquid and vapor							S	S	Supplemental use standards apply
								Power generation plant							S	S	Supplemental use standards apply
								Recycling center							S	S	Supplemental use standards apply
								Solid waste disposal site								S	
S	S	S	S	S	S	S	S	Sub-station	S	S	S	S	S	S	X	X	
								Utility maintenance yard, service yard or garage							X	X	
S	S	S	S	S	S	S	S	Wastewater treatment plant	S	S	S	S	S	S	X	X	
X	S	S	S	S	S	S	S	Water works, reservoir, pumping station, filtration plant, storage tanks—public	S	S	S	S	S	S	X	X	
<b>WHOLESALE</b>																	
S								Feed and grain distribution and storage							X	X	
								Lumber and building materials distribution center							X	X	
X								Nursery/greenhouse				S			X	X	
								Warehouse distribution center							X	X	

(Portions amended by Ordinance Number 09-O-64, adopted October 20, 2009).